

The Applicants elect, with traverse, the following species of the organic halide: **2-chloro-1,1,1,4,4,4-hexachloro-2-butene**. The claims that read on this election are claims 107, 110, and 116.

The Applicants further elect, with traverse, the following species of the compound to be delivered: **synthetic dipeptide N-acetyl-muramyl-L-alanyl-D-isoglutamine**. The claims that read on this election are claims 113 and 120.

The traversal is being made on the following grounds. MPEP § 808.01(a), states that the requirement of the election, prior to a search, is proper of when the application contains both species claims and generic or Markush claims. This situation exists in this application, where the Markush-type claims are present.

However, it is improper to make a restriction requirement if the members of the Markush group are sufficiently few so that a search and examination can be made without serious burden on the examiner. See, MPEP § 803.02(a). It is respectfully submitted that for all of the compounds recited in the claims, the number of species in each category (i.e., organic halides and compounds to be delivered) is quite modest and the examination of such number of compounds is not very burdensome.

In view of the foregoing, reconsideration and withdrawal of the election of species requirement are respectfully requested. Should any questions remain in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

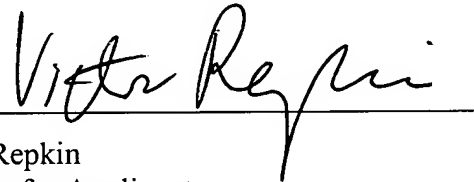
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Check No. 579639 for \$1,080.00 is enclosed to cover the five months extension fee. No other fee is deemed to be due in connection with this response. However, if any additional fee is due, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 07-1896.

Respectfully submitted,

Date: October 25, 2005

A handwritten signature in black ink, appearing to read "Victor Repkin", is written over a horizontal line.

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